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Attorney for Defendant
FAUSTINO AGUAYO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,
Plaintiff,

CR. 05-118-MMC

vs.

**STIPULATION TO CONTINUE
STATUS CONFERENCE AND
ORDER THEREON**

FAUSTINO AGUAYO, et al.,
Defendants.

_____/

Defendant FAUSTINO AGUAYO, by and through his counsel of record
Randy Sue Pollock, and Assistant U.S. Attorney David Hall hereby stipulate and agree
that the status conference presently set for Wednesday, February 22, 2006, be continued
until April 5, 2006, at 2:30 p.m.

Ms. Pollock is awaiting discovery in a related prosecution that is pending before
the Honorable Marilyn H. Patel, regarding a confidential informant in this case. It is
anticipated that this discovery should be available within the next few weeks.

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1 Ms. Pollock has advised all counsel in this case of the requested continuance and
2 none have objected.

3 The time period from February 22, 2006 through April 5, 2006, would be deemed
4 excludable pursuant to 18 U.S.C. Section 3161(h)(8)(A), given that the ends of justice
5 served by granting a continuance outweigh the best interests of the public and of the
6 defendant in a speedy trial. Additionally, pursuant to 18 U.S.C. Section
7 3161(h)(8)(B)(ii) given the nature of the prosecution, the volume of the evidence, the fact
8 that wiretaps were involved as well as pending motions in a related case, it is
9 unreasonable to expect adequate preparation for pretrial proceedings and for the trial
10 within the time limits established by the Speedy Trial Act.

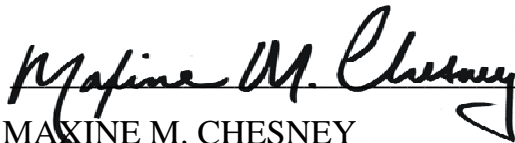
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13 Date: February 27, 2006

(S) Randy Sue Pollock
RANDY SUE POLLOCK
Counsel for Defendant
FAUSTINO AGUAYO
On Behalf Of All Defendants

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18 Date: February 27, 2006

(S) David Hall
DAVID HALL
Assistant United States Attorney

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22 SO ORDERED: February 28, 2006


MAXINE M. CHESNEY
United States District Court Judge